

# Facsimile Transmission Form

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**Intellectual Property Law, Silicon Valley Laboratory**  
**FACSIMILE TRANSMITTAL**

DATE: February 4, 2005

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**PLEASE DELIVER THIS FACSIMILE TO THE OFFICE OF PETITIONS**

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<b>TO:</b>		<b>FROM:</b>	
<b>NAME:</b>	Commissioner for Patents	<b>NAME:</b>	Prentiss W. Johnson Registration No. 33, 123
<b>DEPT/BLDG</b>	Office of Petitions MS Petition	<b>DEPT/BLDG:</b>	J46/G4
<b>LOCATION</b>	P.O. Box 1450 Alexandria, VA 22313-1450	<b>LOCATION:</b>	IBM Corporation Silicon Valley Laboratory
<b>TELEPHONE</b>		<b>TELEPHONE:</b>	408-463-5673
<b>FAX:</b>	703-872-9306	<b>FAX:</b>	408-463-4827

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**COMMENT:** Re: Application # 09/672,172, IBM Docket STL920000080US1

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We are transmitting herewith the following:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) (in duplicate)
2. Part B - Fee(s) Issue Fee Transmittal (In duplicate)
3. Statement Establishing Unintentional Delay to Pay Issue Fee
4. Copy of Notice of Abandonment
5. Fee Address Indication Form

Regards,

Prentiss W. Johnson  
Attorney for Applicants

I Address: IBM CORPORATION  
Intellectual Property Law, J46/G4  
655 Balley Avenue  
San Jose, CA 95141-9989

Fax: 408-463-4827  
Teline: 8-543-4827  
Contact: 408-463-5674

PTO/SB/64 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

STL920000080US1

First named inventor: Cotner et al.

Application No.: 09/672,172

Art Unit: 2122

Filed: 09/27/2000

**Examiner:** Kiss, Eric B

**Title:** METHOD OF, SYSTEM FOR, AND COMPUTER PROGRAM PRODUCT FOR PROVIDING AUTOMATIC IDENTIFICATION OF A COMPUTER PROGRAM CODE CANDIDATE FOR WEB DEPLOYMENT OR A STORED PROCEDURE

**Attention: Office of Petitions**  
**Mail Stop Petition**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**  
**FAX (703) 872-9306**

**NOTE:** If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE: A grantable petition requires the following items:**

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

### 1. Petition fee

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))

The Director is hereby authorized to charge the required fee(s) or credit any overpayment to Deposit Account No. 09-0460

## 2. Reply

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

☐ has been filed previously on \_\_\_\_\_  
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,400.00

☐ has been paid previously on \_\_\_\_\_  
☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64 (09-04)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Prentiss W. Johnson  
Signature

February 4, 2005  
Date

Prentiss W. Johnson  
Typed or printed name

33,123  
Registration Number, if applicable

555 Bailey Avenue  
Address

408-463-5873  
Telephone Number

San Jose, CA 95141-9989  
Address

- Enclosures: ☒ Fee Payment
- ☒ Reply - Issue Fee Payment
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Fee Address Indication Form

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

2/4/2005  
Date

Carla R. Aliberti  
Signature

Carla R. Aliberti  
Typed or printed name of person signing certificate

[Page 2 of 2]

PTO/SB/64 (09-04)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	<b>Docket Number (Optional)</b> STL920000000US1
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First named inventor: Cotner et al.

Application No.: 09/872,172

Art Unit: 2122

Filed: 09/27/2000

Examiner: Kiss, Eric B

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 the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☐ is enclosed herewith.

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 U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED  
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PTO/SB/64 (09-04)

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Prentiss W. Johnson  
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February 4, 2005  
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33,123  
Registration Number, if applicable

555 Balley Avenue  
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408-463-5873  
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San Jose, CA 95141-9989  
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Date

Carla R. Aliberti  
Signature

Carla R. Aliberti

Typed or printed name of person signing certificate

[Page 2 of 2]